



UNITED STATES PATENT AND TRADEMARK OFFICE

DATE RECEIVED: 5/9/01

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
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U.S. APPLICATION NO.

09/807462

FIRST NAMED APPLICANT

BURNSIDE

ATTY. DOCKET NO.

B

550750 -185

INTERNATIONAL APPLICATION NO.

PCT/US99/24554

 RAYMOND J LILLIE
 CARELLA BYRNE BAIN GILFILLAN CECCHI
 STEWART & OLSTEIN
 6 BECKER FARM ROAD
 ROSELAND, NJ 07068

FILLAN CECCHI

I.A. FILING DATE

20 OCT 99

PRIORITY DATE

21 OCT 98

DATE MAILED:

07 MAY 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- | | |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input checked="" type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventor(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |

2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

☐ PCT/DO/EO/920

Karen Williams

Telephone: 702.255.7688

Document2

**CARELLA, BYRNE, BAIN, GILFILLAN
CECCHI, STEWART & OLSTEIN****6 Becker Farm Road
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(973) 994-1700
(973) 994-1744 (FAX)****OPERATOR:** LK**TIME COMPLETED:** _____**EXT. NO.:** 527**DATE:** October 1, 2001**OUR FILE NO.:** 550750-185**NAME**

Karen Williams

FIRM:

U.S. Patent and Trademark Office

FAX NO.

703-305-3230

RECEIVED**04 OCT 2001****Legal Staff
International Division****FROM:** Raymond J. Lillie**Total Pages Included Transmittal Sheet:** 14**COMMENTS:**

IF YOU HAVE ANY PROBLEMS WITH THIS TRANSMISSION, OR DO NOT RECEIVE THE NUMBER OF PAGES NOTED, PLEASE CONTACT THE FAX OPERATOR AT (973) 994-1700 (EXT. 211)

CONFIDENTIALITY NOTE: The documents accompanying this telecopy transmission contain information from the law firm of Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, which is confidential and/or legally privileged. The information contained in this facsimile is intended only for the use of the individual named above and others who have been specifically authorized to receive it. If the one receiving it is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this telecopy in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us at once. Thank you.

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Applicant(s): Burnside, et al

Serial No.: 091807,4162 Filed: April 11, 2001

Title (or mark): Oral Pulsed Dose Drug Delivery System

DOCUMENTS ENCLOSED

☐ Application sheets: Descr.: _____

Drawing sheets: _____

☒ Declaration (executed 7/2/01, 6/25/01, 7/10/01, 7/11/01, 6/5/01, 7/3/01, 6/18/01, 6/4/01.

☐ Verified Statement Claiming Small Entity Status

☐ Response to OA dated _____

☐ _____ Mo. Ext. of Time

☒ Other Application Transmittal Letter; Copy of Notification of Missing Requirements

☐ Formal Drawing _____ sheets

First class mail

Certificate Dated: _____

Docket No.: 550750-185

Claims _____ Abstract _____

☐ Formal

☐ Informal

☒ Assignment to Shire Laboratories, INC.

☐ Type of OA: _____

☐ Inform. Discl. Statement

☒ Petition for Extension of time
(1 month sm ext)

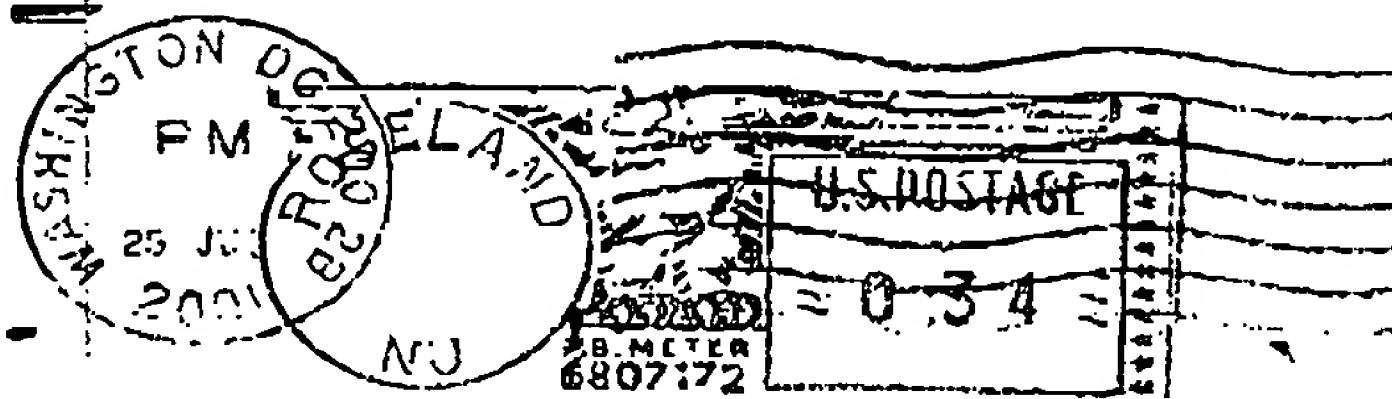
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Atty.: RTL



**CARELLA, BYRNE, BAIN, GILFILLAN
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07068-1738 06

Received
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Gilfillan, Cechi,
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TO: (PLEASE PRINT) ARELLA BYRNE BAIN WILFILLAN EUGENIE STEWART & OLSFERN BECKER FARM RD OSELAND NJ 07068-1735		TO: (PLEASE PRINT) Box 25, Johnsons Camden, NJ 08103	
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RJL 550750-125

Carella Byrne, Bain, Gillman, Cecchi, Stewart & Ostein P.A. ATTORNEY BUSINESS ACCOUNT REIMBURSEMENT ACCOUNT 1000 BEECHER ROAD, ROSELAND, NEW JERSEY 07068		CHECK NO. 5278	
CHECK DATE: 07-19-2001			
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Examining Operations

Application of: Burnside, et al.
Serial No: 09/807,462 Art Unit: Not Assigned
Filed: April 11, 2001 Examiner: Not assigned
Title: Oral Pulsed Dose Drug Delivery System
Attorney
Docket No.: 550750-185

TRANSMITTAL LETTER

Box Assignments
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed please find the following:

1. Executed Declaration and Power of Attorney;
2. Assignment;
3. Assignment Recordation form;
4. Petition for Extension of Time (1 month small entity);
5. Copy of Notification of Missing Requirements;
6. Check No. _____ in the amount of \$ 160.00; and
7. A self-addressed, postage paid, return receipt postcard, date stamp and return of which is respectfully requested.

The Commissioner is authorized to charge payment of any additional filing fees required under 37 C.F.R. 1.16 associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

FIRST CLASS CERTIFICATE

I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to: Box Assignment
Assistant Commissioner for Patents
Washington, D.C. 20231

Raymond J. Lillie 7/19/01
Raymond J. Lillie, Esq. Date

Respectfully submitted,

Raymond J. Lillie
Raymond J. Lillie, Esq.
Reg. No. 31,778

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